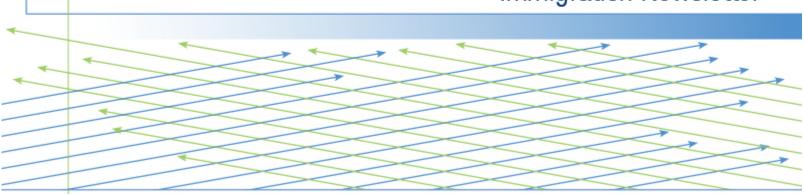


Immigration Newsletter



OCTOBER 2014

In This Issue:

<u>Update from the Field</u> <u>On the Blog</u> <u>In the News</u> <u>Recent & Upcoming Events</u> <u>Our Team</u>

Welcome to the Greenberg Traurig (GT) Business Immigration & Compliance Practice's newsletter. Our newsletter provides information and commentary on key developments that impact companies with an international workforce. In addition to being an informative source of news, we hope to introduce our group of experienced immigration attorneys and professionals through the inclusion of select published articles, the announcement of public presentations and media coverage, and other notable developments.

Update from the Field

Companies operating with an international workforce are subject to constantly changing regulations in U.S. business immigration and foreign jurisdictions around the world. We recognize the inherent stress of staying ahead of the curve in an ever-changing market. In our "Update from the Field" section, a GT Immigration team member will cover recent developments that impact the movement of personnel around the globe.

- > 2014 has been filled with hopes for immigration reform. One of the many actions taken toward reform was a proposed rule from the Department of Homeland Security (DHS) that would allow certain H-4 visa holders to obtain work authorization. Under the proposed rule, individuals with H-4 status who have H-1B spouses who have reached a certain point in their green card process would be eligible to apply for work authorization. DHS opened up a commenting period on the proposed rule that closed on July 11th. Now, DHS will consider the comments received before publishing a final rule. Currently, individuals in H-4 status are not eligible for work authorization.
- > Customs and Border Patrol (CBP) has <u>introduced a new passport control app</u> that allows certain travelers to submit customs declaration forms and passport information before CBP inspection. The pilot program was implemented at Hartsfield-Jackson Atlanta International Airport on August 13, 2014 and is expected to expand to more airports throughout the remainder of the year.
- > The Department of State experienced major technical issues in July and August that led to worldwide delays for visa issuance at U.S. consulates. GT covered these <u>delays</u> and <u>subsequent resolutions</u> on our blog, <u>Inside</u> <u>Business Immigration: Legal Analysis for the Global Employer.</u>
- > Unfortunately, <u>as reported on our blog</u>, the near term future for Indian nationals in the EB-2 and EB-3 categories is grim.
- > In June, Canadian immigration laws changed to introduce new criteria for Intra-Company Transfers and Temporary Foreign Worker Programs. The new rules have made it more difficult to obtain work authorization in Canada, and companies have to produce more supporting documents to justify the need for Canadian work permits in these categories.



<u>Avani Patel</u> is a Business Immigration & Compliance associate serving clients from the firm's Atlanta office. She focuses her practice on business immigration law and global mobility. Avani regularly works with employers to plan and execute strategies for permanent and temporary employment transfers on an international and national level. She is experienced in family immigration law and represents individual and corporate clients before the U.S. Citizenship and Immigration Services (USCIS). Avani may be reached by email at patela@gtlaw.com or by phone at 678.553.7316.

On the Blog Our Blog Has a New Look and Name



In an effort to continue to provide convenient, up-to-date and relevant information to our blog readers, we have redesigned our blog under the new name of *Inside Business Immigration*: *Legal Analysis for the Global Employer*. The blog will continue to serve as a central source of trends, developments and need-to-know information with regards to U.S. and global immigration. If you are a current subscriber to the blog, you will continue to receive posts uninterrupted and no action is

required. If you are not a current subscriber, please visit www.gtlaw-insidebusinessimmigration.com to subscribe today or click here and a member of our team will subscribe on your behalf.

Included below are key blog posts from the last quarter that reflect notable developments in the field. For additional blog posts, please visit www.gtlaw-insidebusinessimmigration.com.

- > What is Next for Immigration Reform? | Laura Reiff
- > Where do Social Security Payments Made by Undocumented Workers Go? | Ian Macdonald
- > DOL Report on FY2014 Prevailing Wage Determinations Provides Some Surprising Data for Employers | Ian Macdonald
- > Africa's Climb in the World Market and the Ancillary Impact on Immigration Compliance | Avani Patel
- > U.S. Immigration Consular Fees to Change Sept. 12, 2014 | Ian Macdonald
- > DOL Institutes Enhanced Password Requirements for PERM Users | Emily Liss
- > U.S. Department of State Announces EB-5 Visas For China Unavailable Until October 1, 2014 | Nataliya Rymer
- > <u>Department of State Releases New Guidance Regarding Ongoing Consular Consolidated Database and Visa</u> Issuance Delays | Nataliya Binshteyn
- > Global Immigration Series Doing Business in Brazil: Navigating Complex Immigration Laws | Rebecca Schechter

In the News

- > Ian Macdonald, Featured, "6 Immigration Law Mistakes GCs Make When Going Global," Corporate Counsel
- > Mentioned, "Greenberg Traurig Continues to Grow Business Immigration & Compliance Practice's EB-5 Group"
- > Laura Reiff, Quoted, "EB-5 visa program for foreign investors expanding in Miami," WorldCity
- > Kate Kalmykov, Quoted, "Rich Chinese overwhelm U.S. visa program," CNNMoney

Recent & Upcoming Events

The GT Immigration team has recently presented and will be presenting at several industry events in various markets across the United States and around the world. For more information about these events, please <u>click here</u>.

- > Fall Webinar Series U.S. Immigration, Compliance and Global Mobility | November 2014 | Webinar
- > 14th Annual Labor & Employment Seminar | November 10, 2014 | Phoenix, AZ
- > Investors' Circle Beyond the Pitch | October 28, 2014 | Boston
- > <u>Doing Business in China Strategies to Mitigate Corruption Risk</u> | October 8th Orange County | October 9th Silicon Valley
- > 2014 AILA EB-5 Investors & Regional Centers Conference | August 22-23, 2014 | Chicago, IL
- > 2014 Southern California EB-5 Conference | July 21, 2014 | Newport Beach, CA
- > Mortgage Bankers Association of New York EB-5 Financing for Real Estate Development | July 17, 2014 | New York, NY
- > <u>2014 Franchise Expo</u> | June 19-21, 2014 | New York, NY
- > New York Private Equity Network Real Estate "EB-5 Funding for Real Estate Development" Seminar and Networking Reception | June 17, 2014 | New York, NY

Business Immigration & Compliance Practice Continues Growth with Addition of Three Attorneys

To continue to offer quality and diverse legal services to our clients, the Greenberg Traurig Business Immigration & Compliance Practice recently added <u>Matt Galati</u>, <u>Christian Triantaphyllis</u> and <u>Catharine Yen</u> to the team.

Matt, who joined in Greenberg Traurig's Philadelphia office, focuses on matters related to the EB-5 Immigrant Investor Program. His experience includes the full gamut of the EB-5 program, including the preparation of Form I-526 and Form I-829 petitions in unusual or complicated situations. Galati regularly handles employment-based nonimmigrant and immigrant visas, including E-2, H-1B, L-1, and O-1 classifications, among many others. He earned his B.A. from University of Virginia and his J.D. from The George Washington University Law School.

<u>Christian</u> is based in Greenberg Traurig's Houston office and focuses his practice on the EB-5 Immigrant Investor Program. His experience includes EB-5 immigrant investment petitions pertaining to direct investments and investments though regional centers. Triantaphyllis handles I-924 Applications and Amendments, nonimmigrant and immigrant petitions to acquire work-authorization for professional employees and investors, drafting legal arguments in response to Requests for Evidence, and immigration requirement compliance in accordance with USCIS, Customs and Border Protection, and the Department of State. Triantaphyllis earned his B.A. from Southern Methodist University and J.D. from New York Law School.

<u>Catharine</u>, who joined the firm's Los Angeles office, focuses her practice on the EB-5 Immigrant Investor Program. She has broad experience filing EB-5 petitions for direct and regional center investors, submitting Regional Center Formation applications, and assembling I-526 Exemplars for Regional Center projects. Yen is well-versed in form I-924 Amendments and USCIS Notifications for Regional Center clients, filing applications for Adjustment of Status and Consular Processing. Yen earned her B.A. from Rice University and J.D. from the University of Houston Law Center.

Our Team

Greenberg Traurig's Business Immigration & Compliance practice includes nearly 100 attorneys and professionals serving clients from nearly a dozen markets. For more information, please contact one of our attorneys or directors listed below.

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To learn more about GT's Business Immigration & Compliance Practice and to stay up to date on market trends and industry news, please visit http://www.gtlaw-insidebusinessimmigration.com/.







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^{*}Not admitted to the practice of law.

[‡] Admitted in Illinois, and not admitted in New York. Practice limited solely to Federal Immigration and Nationality law.